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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,221	09/26/2003	Kati Ahvonen	0172.42109X00	6825

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EXAMINER

NGUYEN, VAN KIM T

ART UNIT PAPER NUMBER

2151

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,221

Applicant(s)

AHVONEN ET AL

Examiner

Van Kim T. Nguyen

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-19, 21-56 and 58-73 is/are rejected.
- 7) ☒ Claim(s) 10, 11, 20 and 57 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09/03; 01/04; 08/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 21-23 and 66-69 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 21-23 and 66-68 recite the limitation of “---transmitted to the policy enforcement entity and from the policy enforcement entity to the policy enforcement entity--- “ (lines 2-3). It is not clear what the claims are disclosing.

Claim 69 recites the limitation of “the subscriber information is available which is not dependent upon information the varies with different subscribers.” (lines 2-4). It is not clear what the claim is disclosing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 12-19, 24-56, 58-65, and 70-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Widegren et al (US 6,621,793), hereinafter Widegren.

Regarding claims 1, 24, 36, and 48, as shown in Figures 17-20, Widegren discloses a system for controlling the providing of service to a policy system comprising three majors components: the policy rules and storage (policy database), the policy enforcement point, and the policy decision point (col. 9: lines 67 - col. 10: line 3).

Widegren also discloses a method of providing services to user equipment (UE) in a communications network including a database storing subscriber information regarding users of the user equipment obtaining the services (bearer level), a policy enforcement entity (GGSN, EP, PCF) coupled to the user equipment for obtaining connection to sessions, and a policy decision entity (PCF) coupled to the policy enforcement entity and to the database (application server; col. 14: lines 36-47) for determining policy governing the providing of the services from at least one network or server (SIP Proxy Server; col. 13: lines 34-44) coupled to the policy decision entity (Fig. 20; Abstract; col. 11: lines 43-61; col. 15: lines 18-62).

The method comprising:

providing from the database (application server) to the policy decision entity (PCF) the subscriber information regarding permitted conditions for the users to obtain the services (subscribed QoS profile);

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providing service provider information (IP BS Manager) from the at least one network or server (local SIP proxy server) regarding the services (bearer level) offered to the user equipment, which is utilized by the policy decision entity (col. 13: lines 55-59);

and forming policy rules (session thru/session termination) at the policy decision entity based upon the subscriber information and the service information (col. 15: lines 44-62); and

wherein a requesting user equipment (UE) transmits a request for a session to the communications network which is processed by the policy decision entity (PCF) in accordance with the policy rules to determine if a session is to be allowed and if the session is allowed determining characteristics of the service (bearer service) to be provided to the requesting user equipment and the policy enforcement entity enforces at least one characteristic of an allowed session upon the communication network to insure that the allowed session obtained by the requesting user equipment has the at least one characteristic of the allowed session (col. 10: lines 33-65; col. 13: lines 30 – col. 17: line 54, esp. col. 13: lines 45 – 63; col. 14: lines 18-59; and col. 15: lines 18-62).

Regarding claims 2, 25, 37, and 49, Widegren also discloses the policy decision entity is a policy control function (col. 15: lines 28-30).

Regarding claims 3, 26, 38, and 50, Widegren also discloses the policy enforcement entity is a Gateway General Packet Radio Access Node (GGSN; col. 4: lines 34-45; col. 10: lines 26-33; col. 13: line 52 – col. 14: line 59).

Regarding claims 4, 6, 8, 30, 42, 51, 53, and 55, Widegren also discloses the subscriber information (types of bearer) comprises allowed services (authorized envelope) which may be

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provided to the user equipment by the at least one network or server (col. 13: lines 45-56; and col. 16: lines 44-65).

Regarding claim 5, 7, 9, 27-29, 31, 39-41, 43, 52, 54, and 56, Widegren also discloses the allowed services/characteristics are defined by a service name (e.g., traffic bandwidth requirements, security considerations), a quality of service class (QoS), and a bit rate (e.g., peak information rate, mean information rate) at which the requested session is provided to the requesting user equipment by the at least one network or server (col. 9: lines 46-61; col. 16: lines 50-51; and col. 17: lines 46-53).

Regarding claim 12, 14, 16, 18, 32, 34, 44, 46, 58, 60, 62, and 64, Widegren also discloses the service information comprises quality of service information (col. 9: lines 46-61; col. 16: lines 50-51; and col. 17: lines 46-53).

Regarding claim 13, 15, 17, 19, 33, 35, 45, 47, 59, 61, 63, and 65, Widegren also discloses the quality of service information comprises bandwidth (col. 2: lines 39-52; and col. 9: lines 49-61).

Regarding claims 70-73, Widegren also discloses the communication network is a packet switched network (col. 1: lines 15-18; and col. 4: lines 34-35).

Allowable Subject Matter

5. Claims 10, 11, 20, and 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073.

The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

vkn
April 3, 2005


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER